App. F. IX-4

1936.

GR. File No. 121-36

Serial Nos. 3 4

Previous References

GR. 108-34 (1-6)
GR 121-36 (1 to 5)

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to

Part B for September 1937

SUBJECT.

Renewal of State loan bonds of the Kamrakheli—

NC to Mgr Kamrakheli Merchants Dumka

WD 0418—GPB—22,500—29-8-36 to DC Birbhum 4.9.37

with Swantsan bonds.

G.F 124-36-3

Bangalore City,
28th April 1937

From

J.S.Kanniah Chetty,
Merchant, Tumkur.

To

The Financial Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Respected Sir,

With reference to the objections raised by the Comptroller to Government in his No.1344/S.L. dated 10-12-1935 and the endorsement issued from your office dated 2-10-1936 (copies of both have been enclosed for your honour's ready reference) I beg to submit both for your kind perusal and instructions as to the procedure I have to adopt for the rectification of the objections raised in the Comptroller's Memo.

I have gone to the places where the original bond holders lived and learnt that some had gone to distant places while some have died.

Besides where all it was possible, necessary entries have been made and information furnished as per Comptroller's instructions. I have furnished information as noted below as far as I could obtain them.

1. B009597:- The original holder also not traceable.
2. B007393, B004037. (a) -do-
   (b) The maker is not traceable.
   (c) Mr.Puttasastry has left Bangalore City and has gone somewhere.
3. B003355.- (a) Information furnished. The Magistrate's attestation (1st class) has been obtained. The court seal of Tumkur etc has also been got on it on 17-11-1936.

B003355 (b) The maker is not traceable.

(c) -do-

4. B001577, B001983, B005798, B004100, B007661, B016843.

This is not possible.

5. A018084, A009659, A013575.

(i) The original holder is not traceable.

(ii) The First Class Magistrate, Tumkur has attested this.

(iii) I got bonds ~~to~~ for Halagappa & I got them back for myself.

6. A005415, A014143, A015025.

(i) The original holders are not traceable.

(ii) As the original holders are not traceable, it is not possible to answer this.

7. A018083.

(i) The original holders since not traceable it is not possible to get their thumb impression.

(ii) Halagappa is alive and I shall get his signature ~~where all is required.~~ at the required places

8. I have already explained above about the impossiblity of tracing the original holders.as many of them are dead.

9. -do- The same answer for this query also

10. (a) Corrected.

(b) Have been atterded to.

(c) I have furnished these also.

I have also sent letter of authority signed by Mr. Halagappa.

Therefore I request my case may kindly be considered favourably and passed.

I beg to remain,

Respected Sir,

Your most obedient servant,

28-4-37

Letter No.1341/S.L./Encls.17 Bonds dated 10th December 1935 from the Comptroller to the Government of Mysore to J.S.Kanniah Chetty Esq., Merchant, Tumkur, raising objections for the renewal of Mysore State Loan Bonds aggregating in value of Rs.325/-

The objections raised are as noted below:-

1. B009597. (a) Clear thumb impression of the original holder duly attested by the officers authorised to attest the thumb impressions may be obtained.

(b) Signature to the endorsement in space 8 does not agree with the pay order in space 1. Fresh signature to agree should be obtained.

(c) The vernacular signature in space 4 should be got verified under authentication of a Magistrate.

(d) There is no endorsement in favour of the endorser in space 6 entry in cage 5 being cancelled. The last holder has no title, the chain of endorsement being incomplete as the endorsee in space 6 has not endorsed the bonds in favour of Mr.Halagappa.

2. B007393. B004037.

(a) Vernacular signature in space 4 and attestation for cancellation of the same in space 9 should be got verified under authentication of a stipendiary Magistrate.

(b) Cancellation of renewal receipt in space 7 should be got authenticated by the maker (on B007393).

(c) Chain of endorsement is incomplete as Mr.Halagappa does not get title to the bond from Mr.C.Puttasastri the endorsee in space 4.

3. B003355.

(a) The vernacular signature to the endorsement in space 3 should be got authenticated as required in item No.2(a).

(b) Same as item No.2 (b & c)

4. B001577, B001983, B005798, B004100, B007661, B016843.-

Mr. Halagappa and the subsequent holders do not get title to these bonds by a regular chain of endorsement from the original holder of the bonds to the last holder. Bonds should be got regularly endorsed as required by the Rules. Thumb impressions should be got duly authenticated by the officers authorised in the manner prescribed in the Rules.

5. A018084, A009659, A013575.-

(i) Fresh signature to agree should be obtained in space 1 & 3.

(ii) The endorsement by Mr.Abdul Rasheed Saheb should be got signed properly, the vernacular signature being got verifie under authentication of the Amildar Magistrate.

(iii) Mr.Halagappa and the subsequent holders get no title to the bond.

6. A005445, A014143, A015025.

(i) Thumb impressions to the endorsements have to be got properly authenticated by the officers authorised to attest thumb impressions in the manner prescribed in the Rules.

(ii) Mr.Halagappa and the subsequent holders do not get title to the bond by a regular chain of endorsement.

7. A018083,

(i) Same as item No.1(a)

(ii) Mr.Halagappa and the subsequent holders do not get title to the bond.

8. For all the bonds explanation by the respective original holder duly authenticated by the Amildar Magistrate of the locality for not drawing interest on the bonds is necessary.

9. Letters of confirmation from the respective endorseers who have endorsed the bonds in the interest spaces confirming the cross endorsement are required.

10. After the foregoing are rectified the following requirements should also be satisfied.

(a) Signature from Mr.Huddappa to the endorsement by him without the addition of "Mr" is necessary.

(b) The bonds have to be receipted for renewal.

(c) Receipted duplicate chellan granted by the Treasury for remittance of renewal fee and a receipt in the prescribed form claiming interest accrued on the bonds are also required.

Government of His Highness the Maharaja of Mysore.

General and Revenue Secretariat.

Fl.2406(19 bonds). Dated Bangalore, 2nd October 1936

S.A.

Endorsement.

Mr. J. S. Kanniah Setty,

Merchant, Tumkur.

With reference to his petition dated 8th August 1936 praying for renewal of certain State Loan Bonds Mr.Kanniah Setty is informed that mere possession of the paper without proper endorsement cannot give him any right or title to the bonds. His request therefore cannot be granted.

The original bonds (nineteen) received with his petition are returned herewith.

By order,

Sd. K.Venkata Rao.

For Financial Secretary to Government.

STATE LOAN DEPARTMENT.

COMPTROLLER'S OFFICE,

Bangalore, dated 2nd Oct. 1935.

Memo No. 761 S. L. Encls. Seventeen bonds.

To

J. S. Kamiah Chetty Esqr.,
merchant
Tumkur

The bonds of the aggregate value of Rs. 325/- sent to this office with letter No. —, dated 18.9.35 are returned herewith for rectification of the objections noted below.

The receipt of the enclosures may be kindly acknowledged.

Assistant Comptroller. 3/10/35

Per cent	No. of Note	Value	Item No.*
6 1/4 % 1940.	B009597 & Oio Ten Others	325/-	9

* For item numbers of objection, please turn over.

1. Vernacular signatures except in Kannada should be transliterated under the authentication of the Treasury Officer.

2. A clear signature of the endorser in .....to agree letter for letter with the endorsement in his favour may be obtained; the present signature may be retained.

3. The genuineness of the thumb impression of the endorser in..... ....has not been attested by the Magistrate or Treasury Officer in the prescribed form.

4. Renewal is necessary for the following reasons:—

5. The space provided at the foot, on the reverse of the note must be filled in and signed clearly for renewal.

6. Treasury challan for crediting renewal fees may be sent together with a receipt in the prescribed form claiming interest accrued on the bonds.

7. The bond is not properly receipted for consolidation, sub-division, and renewal in the form prescribed.

8. The following documents may be forwarded to this office for registration or in the alternative the endorsement in question may be got certified by the interest paying Treasury Officer, Public Debt Office, Madras, Deputy Controller of the Currency, Bombay, or Controller of the Currency, Calcutta.

(*a*) The original certificate of Incorporation and a copy of the Memorandum and Articles of Association of..... .....the latter duly certified by the Registrar of Joint Stock Companies or by the Company's Chairman of the Board of Directors with its common seal affixed thereto.

(*b*) The power of attorney granted by..... favouring the endorser on their behalf in space.....to draw interest or sell or negotiate Government Securities standing in their name along with the specimen signature of the attorney. The power has to be stamped with Mysore Government stamp of the value of Rs. 7-8-0, if it has not already been done so.

✓9. The bonds previously tendered by M/s. G. Muddappa and were returned to him refusing renewal till a fair Chain of endorsements are got regularised as in accordance with the Rules

WD 697—GPB—1,000—28-10-33

STATE LOAN DEPARTMENT. COMPTROLLER'S OFFICE,

Bangalore, dated 31st March 1937.

Memo No. 2453 S. L. Encls. Ten bonds.

To

J. S. Kamnath Selty Esqr.
Merchant
Tumkur

The bonds of the aggregate value of Rs. 1757/- sent to this office with letter No. ....., dated 29th March 1937 are returned herewith for rectification of the objections noted below.

The receipt of the enclosures may be kindly acknowledged.

Assistant Comptroller. 31/3/37

Per cent	No. of Note	Value	Item No.*
6% 1940.	B007393 A Kincottes.	1757/-	8

* For item numbers of objection, please turn over.

1. Vernacular signatures except in Kannada should be transliterated under the authentication of the Treasury Officer.

2. A clear signature of the endorser in .... to agree letter for letter with the endorsement in his favour may be obtained ; the present signature may be retained.

3. The genuineness of the thumb impression of the endorser in .... has not been attested by the Magistrate or Treasury Officer in the prescribed form.

4. The space provided at the foot, on the reverse of the note must be filled in and signed clearly for renewal.

5. Treasury challan for crediting renewal fees may be sent together with a receipt in the prescribed form claiming interest accrued on the bonds.

6. The bond is not properly receipted for consolidation, sub-division and renewal in the form prescribed.

7. The following documents may be forwarded to this office for registration or in the alternative the endorsement in question may be got certified by the interest paying Treasury Officer, or confirmed by other officers if the authority in their favour is registered in this office.

(*a*) The original certificate of Incorporation and a copy of the Memorandum and Articles of Association of ..... the latter duly certified by the Registrar of Joint Stock Companies or by the Company's Chairman of the Board of Directors with its common seal affixed thereto.

(*b*) The power of attorney granted by ..... favouring the endorser on their behalf in space ..... to draw interest or sell or negotiate Government Securities standing in their name along with the specimen signature of the attorney. The power has to be stamped with Mysore Government stamp of the value of Rs. 7-8-0, if it has not already been done so.

✓8. ~~Renewal is necessary for the following reasons:—~~

No action can be taken in this office and the bonds need not be tendered again as they cannot be renewed as already intimated in this office letters nos. 1350/SA and 2019/SA of 8th and 19th February 1936 and letter no FI2406/S.A. of 2nd/5th October 1936 to you from the Financial Secretary to Govt.

WD 1442—GPB—1,000—8-2-36

4/33

General and Revenue Secretariat

G.F. File No. 121 of 193 36 [App. F. III—2

Serial No.

3 Petition dy 28.4.37 from Mr. J.S. Kamaiah Chetty Tumkur praying for the renewal of Bonds.

Please see the legal opinion in G.F. 121-36-1.

The party has still not completely fulfilled the conditions pointed out by the Comptr. Nothing is therefore possible until he does it completely.

He may however be asked to Comptr for remarks before giving a reply to the points.

Submit for orders. 4

Fl. Secy 5

6 Yes

7/5/37

Encl (1) Bond

No No 92 Encl 17 Bonds

dated 5.5.37

To Comptroller with Compliments) 8/5

No. 2885-21 8.15.5.37. No 1007/Spl dated 18-5-37

The seventeen 6½ % 1940 Mysore State Loan Bonds of the aggregate value of Rs 325/- are herewith returned with compliments.

The defects pointed out in the chain of endorsements have not been remedied and as such the applicant does not get a valid title to the bonds. (Vide legal opinion communicated in letter No. Fl 9086 (18) G.F.

COMPTROLLER'S OFFICE 5 MAY 1937 1035/Spl/37 BANGALORE

UR 2497

Receipt dated 7/5/37

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

F

File No. of 193 . | General and Revenue Secretariat

Serial No.

308-34-6 of 13/19th June 1935.)

(c) Even the requirements at 3 (a) and 5 (11) that are stated to have been attended to by the party have not been complied with properly. The attesting Magistrate has to specify whose vernecular signature has been verified by him.

(d) No new grounds appear to have been advanced for reconsideration of the previous decision.

Comptroller.

Refer. Para 6.
Draft sent up. There is perhaps no need to send for legal opinion.
(Sd) 20/8/37

(e) The petitioner solicits instructions as to the procedure he has to adopt for the rectification of the objections raised in the Comptroller's Memo.

To Comptroller with compliments for favour of remarks on this point.

By order,
For Financial Secretary

9-8-37.

No. 487/SL Enclosures Seventeen bonds for Rs 325/-

The Seventeen 6½ % 1940 Mysore State Loan

Serial No.

The seventeen 6½% 1940 Mysore State Loan bonds of the aggregate value of Rs 325/- are herewith returned with compliments.

17 The endorsements on the bonds are not only not regular to convey title to Mr. Kanniah Chetty but there are also two chains of separate set of endorsements -- running concurrently. Mr. Kanniah Chetty derives title to the bonds from the second set of endorsements from one Mr. Halagappa and not as a holder in due course from the original holder while Mr. Halagappa himself has no title to the bonds (Vide legal opinion communicated in letter No.Fl 9086 (18) G.F. 308-34-6 of 13/19th June 1935).

16 The legal opinion in the linked file is clear that Mr. Kanniah Chetty does not derive any title to these bonds. Hence the defects cannot be considered as merely formal and such as can be overlooked by getting an -- indemnity bond executed. Mere possession cannot be a ground for recognising the title.

19 The rectification of the defects has to be done by approaching the parties concerned and clear instructions have already been issued. The party pleads inability to get at the previous parties. The rules as they -- stand do not provide for such cases and in view of the clear legal opinion already referred to, I am not in a position to suggest any remedy. The file may perhaps be referred to the Law Department and any final legal advice that may be communicated will be adopted and -- followed.

NOTE—Contn. Sheet.

WD 0417--GPB—30,000 -8-9-36

Comptroller.

8/8/37

19.8.37

19-8-37

1268/37

4133/37

File No. of 193

General and Revenue Secretariat

Serial No.

W

In view of the comptroller's suggestion may the file be referred to the Law Deptt again for remarks

MR 20/8 ✓ May be referred to the Law Dept. as suggested by the Comptr. ~~But the~~ if appl. ~~party can get the necessary instructions from any lawyer~~ H- secy)

20.8.37

22 Yes, pw 23/8

23 Asst. Secy, Law, with compts.

23.8.37

24 My learned predecessor (Mr N R Jayaram) who has had the advantage of examining the judgments of the Munsif and the Sub-Judge and thereby knowing the circumstances in which the endorsements effecting the transfer in favour of Halagappa was made by the Court, has clearly expressed his opinion that Halagappa has no title to the lands and the objects are fictitious and not merely formal. (See his note of 29.5.35 in G.F. File No. 308-34 placed below)

65 ✓ Law MR 23.8.37

4133/36 Renewal of S.F. Bonds 1268
re. Kannaiah Setty.

General and Revenue Secretariat | G.F. File No. 121 of 1936. | [App. F. III—2

Serial No.

25 Mr Kannaiah Setty has written that the original holders are either dead or not traceable & he is unable to attend to the rectification of the defects pointed out in the Comptroller's letter of 10-12-35 and wants the renewal of the bonds in spite of the defects. The comptroller is of opinion that the rules, as they stand, do not permit the grant of this request.

6 I agree with the Comptroller that the title cannot be helped. It is the party's own making. He should have been more careful when obtaining the bonds to see that there were proper endorsements and that the chain was complete to give him a valid title to the bonds. If he was careless then, and if at this length of time he finds himself helpless in the matter of getting the defects rectified, he cannot blame any body else and cannot expect the Comptroller to recognise his title in spite of the defects.

S.K. BRL 27.8

Asst. Secy Fin Dept W.C.

27 In these circumstances, may his draft ahead put up issue, omitting the allusion to the draft bonds?

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

SK 28/8 H. Secy.

Gen 29/8 30.8.37.

Issue 30.8.37.

File No. of 193 .

General and Revenue Secretariat

Serial No.

Encl. No De 1315 dt 4.9.37 to J.S. Ramsell Chief Engr & Secy Bi Board, his attention to Bi dt with & state such pattern will not secure attention unless Bi Secret points out by Whom Complt made Bi note in Red ink.

B 9/9/37

4133
71

Appendix F G—1]

SUBJECT.....

.....

.....

Section C.7

File No. 121-36

Serial No. 4

Diary No. of letter replied to..... .....

No. Fe 1315/Gene 17 Bonds & Misc-

To Endt. Franked 6

Mr. J.S. Kannaiah Chetty

Merchant

Tuticorin,

General and Revenue Secretariat

( )

the *193* .

Date of issue 4-9-1937

Linked File

Signed by Mr S.K.J.

Ltr.

Mr

1.19

V

Ltr. Mr. J.S. Kannaiah Chetty, Merchant, Tuticorin, dt. 9.8.37 x dt. 24.4.37 re Renewal of Certain State Loan Bonds, Mr. Kannaiah Chetty's attention is drawn to this Office Endt. No. Fe 2406/GF 121-36-2 dt. 5.10.36. He is further informed that such petitions will not receive attention, ~~as per the rules~~ unless he rectifies all the defects pointed out by the Compt. Auditor in the 17 bonds before renewal could be effected.

List of enclosures: 1. List of Bonds. & 17 bonds as detailed in draft & list.

Copied by .....

Examined by..... .....

The executive Bonds

WD 03601—GPB—30,000—23-9-35

as detailed on the accompanying
list are held Löwenstein by Regt Grah. Type K

Bv.

Skg 2.9.37

Skg 30.8.37 WV 29.7 for Adler

No 7e 1316 dg 4-9-1937.
Copy of Compl. with Spec 487/S.L
to this note dg No ~~1007/Spl~~ dg 19.8.37)

Skg 25/8.

Skg 25/8

List of bonds sent to Comptroller:-

6½ % Loan 1940.

1.	B.007393	Rs.25
2.	B.004037	" 25
3.	B.003355	" 25
4.	B.004100	" 25
5.	A.014143	"12-8-0
6.	A.018088	"12-8-0
7.	A.018084	"12-8-0
8.	A.009659	"12-8-0
9.	A.013575	"12-8-0
10.	A.005445	"12-8-0
11.	B.009597	"25
12.	B.001577	"25
13.	B.007661	"25
14.	B.005798	"25
15.	B.001983	"25
16.	A.016843	"12-8-0
17.	A.015025	"12-8-0

bnl.3

List of bonds sent to Comptroller.

6¼ % Loan 1940.

1.	B.007393	Rs.25
2.	B.004037	" 25
3.	B.005355	" 25
4.	B.004100	" 25
5.	A.014143	"12-8-0
6.	A.018088	"12-8-0
7.	A.018084	"12-8-0
8.	A.009659	"12-8-0
9.	A.013575	"12-8-0
10.	A.005445	"12-8-0
11.	B.009597	"25
12.	B.001577	"25
13.	B.007661	"25
14.	B.005798	"25
15.	B.001983	"25
16.	A.016843	"12-8-0
17.	A.015025	"12-8-0

Kuching Bonds issued
to Comptroller

6½ % Loan 1940

1. B.007393	Rs 25
2. B.007403	" 25
3. B.003355	" 25
4. B.004100	25
5. A.014143	12-8-0
6. A.018083	12-8-0
7. A.018084	12-8-0
8. A.009659	12-8-0
9. A.013575	12-8-0
10 A.005445	12-8-0
11. B.009597	25
12. B.001577	25
13. B.007661	25
14. B.005795	25
15. B.001983	25
16. A.016843	12-8-0
17. A.015025	12-8-0

6/5/67